Sects. II-57—100,000—21-6-48.

-Revenue-
Public Health (195 47) Department.

RS SERIES.

G.O. No. 3007 P.H

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Dated 4th September 1947

[Despatch Abstract.]

Public Service - Madras Medical Service and Madras Medical Cou Subordinate Service - College of Indian Medicine and Research Department - Ad hoc rules - Issued.

GOVERNMENT OF MADRAS.
Abstract.

Public Service - Madras Medical Service and Madras Medical Subordinate Service - College of Indian Medicine and Research Department - Ad hoc rules - Issued.

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~~Revenue Department.~~
G.O.Ms.No. 3007. (Public Health) Dated: 4th September 1947.
Read the following:

From the Special Officer for the Reorganisation of the Department of Indian Medicine, dated 30th October 1946, Rc.No.410/46.

Letter from the Madras Public Service Commission, dated 16th April 1947, No.1158-C1/47.

From the Special Officer for the Reorganisation of the Department of Indian Medicine, dated 4th June 1947, Rc.No.410-5/46.

Letter from the Madras Public Service Commission, dated 9th July 1947, No. 115- C1/47-3.

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O R D E R:

The appended notification will be published in the Fort St. George Gazette.

/By Order of His Excellency the Governor/

C.O. Coorey,
JOINT SECRETARY TO GOVERNMENT.

To:

The Special Officer for the Reorganisation of the Department of Indian Medicine.
The Superintendent, Government Press (for publication of notification in the Fort St. George Gazette.
The Secretary, Madras Public Service Commission.
The Public (Services) Department.
The Legal Department.
The Secretariat Library.

Appendix.
NOTIFICATION.

RULES RELATING TO CONDITIONS OF SERVICE OF THE MEDICAL STAFF TO BE ENTERTAINED IN THE DEPARTMENT OF INDIAN MEDICINE (GAZETTED POSTS).

In exercise of the powers conferred by section 241 (1) (b) and (2) (b) of the Government of India Act, 1935, His Excellency the Governor of Madras hereby makes the following rules:--

R U L E S.

The categories of temporary posts specified below shall constitute a separate branch of the Madras Medical Service (Branch of III- Indian Medicine):--

Category 1 . Research Officer, Indian Medicine.
Category 2. Principal, College of Indian Medicine.
Category 3 . - Professors, College of Indian Medicine.

2. Save as otherwise provided in these rules the general and special rules applicable to holders of permanent posts in the Madras Medical Service shall apply to the holders of the said temporary posts.

3. (1) Appointments to the several categories ~~are~~ shall be made as follows:--

Categories. (1)	Method of appointment. (2)
1. Research Officer, Indian Medicine.	Promotion from category 2 or 3. direct, recruitment

/2.

(1)	(2).
	for special reasons recruitment by transfer from any other service.
2. Principal.	(1) Promotion from category 2 of Class IX of the Madras Medical Service in Branch I Medical, or (2) Promotion from category 3 or (3) ~~Promotion~~ direct recruitment or (4) for special reasons, recruitment by transfer from any other service.
3. Professors.	(1). Recruitment by transfer from Assistant Professors and Lecturers in the Madras Medical Subordinate Service, Branch II Indian Medicine, or (2) direct recruitment, or (3). for special reasons, recruitment by transfer from any other service".

(2) Notwithstanding anything contained in rule 5, holders of the following posts on the date on which these rules come into force shall also be eligible for appointment to the posts mentioned in sub-rule (1):--

(i) Principal, School of Indian Medicine;

(ii) Senior Resident Medical Officer cum Lecturer in the School of Indian Medicine;

(iii) Officers of the grade of Civil Surgeons or Civil Assistant Surgeons in the Madras Medical Service; and

(iv) Lecturers in the School of Indian Medicine in the Madras Medical Subordinate Service.

4. Qualifications as to age:- (a) No person shall be eligible for appointment by direct recruitment to the categories specified in column (1) of the table below, if he has attained or will attain the age specified in the corresponding entry in column (2) thereof.

TABLE.

Category.	Age.
1. Research Officer, Indian Medicine.	35 years on the first day of July of the year in which the selection is made.
2. Principal. 3. Professors.	32 years on the first day of July of the year in which the selection is made.

(b) The age-limit prescribed in sub-rule (a) shall not apply to appointments made for the first time after the coming into force of these rules; but the question of suitability with reference to age-limit shall be decided by the Madras Public Service Commission in each case as it arises.

5. Special qualifications: No person shall be eligible for appointment to the categories specified in column (1), of the Annexure to these rules unless he possess the qualification specified in the corresponding entry in the column (2) thereof and unless his same has been registered by the Central Board of Indian Medicine. The minimum general educational qualification prescribed in the general rules for the Provincial and Subordinate Services shall not apply to the appointments of Principal and Professors.

6. Communal proportion: The rule of communal proportion (General rule 19 (b) shall apply to appointment by direct recruitment to posts in all the three categories taken together.

7. Probation: Every person appointed to any category by any

method shall be probation for a total period of two years on duty within a continuous period of three years.

8. Promotion: Promotion to the following posts shall be made on grounds of merit and ability, seniority being considered only where merit and ability are approximately equal.

Categories.

(1) Research Officer, Indian Medicine.
(2) Principal.

9 (a) Tests: Every officer appointed to any of the categories shall, within a period of two years from the date of his appointment, pass the Account Test for Executive Officers.

Provided that the Government may in the case of a person appointed on a contract basis or a person who has not got a working knowledge of the English Language, exempt him from passing the test.

(b) If any officer fails to pass the test which he is required to pass under sub-rule (a) within the prescribed period his increment shall be liable to be stopped until he passes the test but such stoppage shall not operate to postpone future increments after he passes the test.

10. Private practice- (a) The Research Officer, Indian Medicine, shall not engage himself in private practice.

(b) (i) The Principal and Professors shall be allowed consulting practice.

Explanations: For the purpose of this sub-rule, consulting practice shall mean:--

(1) examination in the member's own private consulting room, or at any place other than the Government institution in which the member is employed, of patients brought or introduced by a practitioner registered by the Central Board of Indian Medicine or the Madras Medical Council, as the case may be.

Provided that it shall be open to the member to take up the case of a patient who has no general practitioner of his own and who wishes to seek medical aid in an emergency even though the patient has not been introduced to him by a practitioner registered by the Central Board of Indian Medicine or the Madras Medical Council, as the case may be:

(2) treatment of patients at the request of or in the presence of a practitioner registered by the Central Board of Indian Medicine or the Madras Medical Council, as the case may be:

(3) operations in a patient 's house or in a nursing home or elsewhere than in the Government institution in which the member is employed with the intervention of a practitioner registered by the Central Board of Indian Medicine or the Madras Medical Council, as the case may be;

Note: A patient may be treated after an operation but shall be handed over to the practitioner registered by the Central Board of Indian Medicine or the Madras Medical Council from the commencement of convalescence.

(4) scrutiny of medical certificates of proposers for policies in Insurance Companies and giving expert opinion on them;

(5) (A) issue of certificate to applicants for Postal Insurance mentioned in paragraph 300 of the Civil Medical Code, Volume I, and for Insurance Policies in private companies; and

(B) issue of certificates to persons examined or treated by a member of the service in his official capacity during the course of his duty.

Note: These will include medico-legal, wound, death and other such certificates and also certificates of physical fitness prescribed for candidates who apply for Government service; but not ~~or~~ certificates in case where a member of the service is not required to perform any duties in his official capacity.

(iii) A member of the service referred to in clause (i) employed in a place where no other medical practitioner is available may attend on an urgent case if suddenly called him to do so but such attendance shall be independent of any consideration of fees that might be paid by the parties concerned and shall be without prejudice to the member's regular duties and subject to such instructions as may be issued in that behalf by the Provincial Government. If after attending on any such case, the member finds that the party concerned can pay, he may send a bill for his services.

Subject to the foregoing conditions, a member of the service referred to in clause (i) is not prohibited from attending on a patient within five miles radius of his headquarters even when the call is not urgent, provided that there is no private medical practitioner registered by the Central Board of Indian Medicine or the Madras Medical Council nearer to the patient than the said member of the service.

(iii) Members of the service referred to in clause (i) shall comply with all urgent calls for attendance in labour cases. Where the party concerned is able to pay the cost, a bill may be sent.

(iv) Members of the service referred to in clause (i) may attend on members of families of those who are entitled to free ~~to free~~ medical attendance.

11. Appointment discharge and re-appointment: For the purpose of these rules, the unit for appointment, discharge and re-appointment in the case of category 3 shall be the group of posts in that category for which special qualifications in a particular subject, have been prescribed

12. Appointment of Honorary Medical Officers: (a) Notwithstanding anything contained in these rules, vacancies in any of the categories may be filled by the appointment of Honorary Medical Officers.

(b) An officer so appointed shall not be regarded as appointed to the service or be entitled by reason only of such appointment to any preferential claim to future appointment to the service. Nor shall he be ~~made~~ entitled to any right or privilege conferred by these rules or the general rules.

13. Pay: There shall be paid to the holders of the posts mentioned in column (i) below a monthly pay calculaated at the rate or scale specified in the corresponding entry in column (2) thereof.

Post. (1)	Pay. (2)
(1) Research Officer.	Fixed pay of Rs.500
(2) Principal.	Rs.350-50-~~4~~-650-75/2-~~8~~00
(3) Professors.	Rs.250-30/2-400.

/5.

Annexure.

(Referred to in Rule 5).

Categories. (1)	Qualifications. (2)
"2. Principal.	Must possess the qualifications prescribed for the Principal, School of Indian Medicine Must have obtained:-- (i) the title of "Ayurvedacharya" in the medicine and Surgery of the Benares Hindu University, or (ii) the title of Ayurvedacharya of the All Indian Ayurveda Idyapith, Delhi with the diploma of L.I.M. or A.L.I.M. or (iii) the H.P.I.M. diploma or (iv) the degree awarded by an authority appointed by the Provincial Government to candidates who have successfully undergone the prescribe course of studies in the College of Indian Medicine maintained by the Government of Madras.
3. Professors.	1. Ayurveda: Must have obtained. (i) the title of "Ayurvedacharya" in medicine and surgery of the Benares Hindu University or (ii) the title of "Ayurvedacharya" of the All India Ayurveda Vidyapith, Delhi, with the diploma of L.I.M. or A.L.I.M. or (iii) H.P.I.M. diploma or (iv) the degree awarded by an authority appointed by the Provincial Government to candidates who have successfully undergone the prescribed course of studies in the college of Indian Medicine maintained by the Government of Madras. 2. Siddha: Must have obtained the H.P.I.M. diploma or the degree awarded by an authority appointed by the Provincial Government to candidates who have successfully undergone the prescribed course of studies in the College of Indian Medicine maintained by the Government of Madras. 3. Unani: Must have obtained the H.P.I.M. diploma or the degree awarded by an authority appointed by the Provincial Government to candidates who have successfully undergone the prescribed course of studies in the College of Indian Medicine maintained by the Government of Madras. 4. Modern Medicine: Must have obtained the M.B.B.S. or an equivalent degree preferably with a working knowledge of Indian Medicine.

Rules relating to ~~candidates~~ conditions of Service of the Medical Staff to be entertained in the Department of Indian Medicine (Subordinate Service).

In exercise of the powers conferred by section 241 (1) (a) and (2) (b) of the Government of India Act, 1935, His Excellency the Governor of Madras hereby makes the following rules:

RULES.

1. The temporary posts specified below in the College of

Indian Medicine Research Department of Indian Medicine shall constitute independent categories in the Madras Medical ~~Council~~ Subordinate Service (Branch II, Indian Medicne):--

Category 1- Assistant Professors.
Category 2 - Tutors and ~~Researchers.~~ Readers
Category 3 - Pandits.
Category 4 - Physical Directors.
Category 5 - Artist Draughtsmen.

2. Save as otherwise provided in these rules, the general rules applicable to holders of permanent posts in the Madras Medical Subordinate Service shall apply to the holders of the said temporary posts.

3 (1) Appointments to the several categories shall be made as follows:-

1. Assistant Professors.	1. Promotion from category 1,2 or 2-A of the Madras Medical Subordinate Service, Branch- II-Indian Medicine or 2. Promotion from category 2, or 3. Promotion from category 3 of the Madras Medical Subordinate Service, Branch II-Indian Medicine, or 4. direct recruitment or 5. for special reasons, recruitment by Bransfer from any other service.
22 Tutors and Readers	1. Promotion from category 3 of the Madras Medical Subordinate service, Branch II- Indian Medicine, or 2. for special reasons, recruitment by transfer from any other service.
3. Pandits.) I 4. Physical Directors. I 5. Artist Draughtsman I	Direct recuritment or for special reasons recruitment by transfer from any other service".

2. Notwithstanding anything contained in rule 6, holders of the posts of Lecturers, Assistant Lecturers and Demonstrators, in the School of Indian Medicine on the date on which these rules come into force shall able also be eligible for appointment to the posts mentioned in sub-rule (1).

4. Appointing authority: The appointing authority for all the categories shall be the Special Officer for the re-organisation of the Department of Indian Medicine or such other officer as may be appointed by the Provincial Government to be the Head of the Department of Indian Medicine.

5. (a) Qualifications as to age : No person shall be eligible for appointment by direct recruitment to the categories specified in column (i) of the table below, if he has attained or will attain the age specified in the corresponding entry in column ~~clause~~ (2) thereof.

TABLE.

1. Assistant Professors.	35 years on the first day of July

	of the year in which selection is made.
Tutors and Readers.	32 years on the ~~the~~ first day of July of the years in which selection is made.
Pandits.	30 years on the first day of July of the year in which selection is made.
Physical Directors.	30 years on the first day of July of the years in which selection is made.
Artist Draughtsmen.	27 years on the first day of July of the year in which selection is made.

(b) The age-limit prescribed in sub-rule (a) shall not apply to appointment made for the first time after the coming into force of these rules, or in the case of those recruited from the School and Hospital of Indian Medicine - but the question of suitability with reference to age-limit shall be decided by the Madras Public Service Commission in each case as it arises.

6. Other qualifications: No persons shall be eligible for appointment to the categories specified in column (1) of the Annexure to these rules unless he possesses the qualificatio specified in the corresponding entry in column (2) thereof.

7. Communal representation: The rule of communal proportion (General rule 19 (b) shall apply to appointment by direct recruitment to each category.

8. Probation: Every person appointed to any category by any method shall be on probation for a total period of two years on duty within a continuous period of three years.

9. Promotion: Promotion to the post of Assistant Professo shall be made on grounds of merit and ability, seniority being considered only where merit and ability are approximately equal.

10. Private practice: (a) Assistant Professors and Tutors and Readers shall be allowed consulting practice.

Exphanation: For the purpose of this sub-rule, consulting practice shall mean:--

(1) Examination in the member's own private consulting room, or any place other than the Government institution in which the member is employed of patients brought or introduced by a practitioner registered by the Central Board of Indian Medicine or the Madras Medical Council, as the case may be;

Provided that it shall be open to the member to take up the case of a patient who has not his own general practitioner and who wishes to seek medical aid in an emergency even though the patient has not been introduced to him by a practitioner registered by the Central Board of Indian Medicine or the Madras Medical Council, as the case may be;

(2) treatment of patients, at the request of or in the presence of a practitioner registered by the Central Board of Indian Medicine or the Madras Medical Council, as the case may be;

(3) Operations in a patient's house or in a nursing home or elsewhere than in the Government institution in which the member is employed with the intervention of a practitioner registered by the Central Board of Indian Medicine or the Madras Medical Council, as the case may be;

Note: A patient may be treated after an operation, but shall be handed over to the practitioner registered by the Council Central Board of Indian Medicine or the Madras Medical Council from the commencement of convalescence.

(4) scrutiny of medical certificates or proposers for policies in Insurance companies and giving expert opinion on them;

(5) (A) issue of certificates to applicants for Postal Insurance mentioned in paragraph 300 of the Civil Medical Code, Volumm I, and for Insurance policies in private companies; and

(B) issue of certificates to persons examined or treated by a member of the service in his official capacity during the course of his duty.

NOTE: These will include medico-legal, wound, death and other such certificates and also certificates of physical fitness prescribed for candidates who apply for Government service; but not certificates in cases where a member of the service is not required to perform any duties in his official capacity.

(b) A member of the service referred to in sub-rule (a) employed in a place where no other medical practitioner is available may attend on an urgent case if suddenly called to do so, but such attendance shall be independent of any consideration of fees that might be paid by the parties concerned and shall be without prejudice to the members regular duties and subject to such instructions as may be issued in that behalf by the Provincial Government. If after attending on any such case, the member finds that the party concerned can pay, he may send a bill for his service.

Subject to the foregoing conditions a member of the service referred in sub-rule (a) is not prohibited from attending on a patient within five miles radius of his headquarters, even when the call is not urgent provided that there is no private medical practitioner registered by the Central Board of Indian Medicine, or the Madras Medical Council nearer to the patient than the said member of the service.

(c) Members of the service referred to in sub-rule (a) shall comply with all urgent calls for attendance in labour cases. Where the party concerned is able to pay the cost, a bill may be sent.

(d) Members of the service referred to in sub-rule (a) may attend on members of families of those who are entitled to free medical attendance.

II. Appointment: discharge and reappointment: For the purpose of these rules, the unit for appointment, discharge and re-appointment shall be each group of posts in each of the categories for which special qualifications in a particular subject have been prescribed.

12. Appointment of Honorary Medical Officers: - (a) Notwithstanding anything contained in these rules, vacancies in any of the categories ~~for which special qualifications in a particular subject have been~~ may be filled by the appointment of Honorary Medical Officers.

(b) An officer so appointed shall not be regarded as appointed to the service or be entitled by reason only of such appointment to any preferential claim to future appointment to the service. Nor shall he be entitled to any right or prigilege conferred by these rules or the general rules.

13. (1) The penalties referred to in rule 8 of the Madras Civil Services (Classification, Control and Appeal) Rules except compulsory retirement, removal from service and dismissal may be imposed on the holders of the posts by the Research Officer, Indian Medicine or the Principal concerned as the case may be, under whom they work.

(2) The penalties of compulsory retirement removal from service and dismissal specified in the said rules may be imposed on the holders of the posts by the appointing authority.

(3) The appellate authority shall be:--

(a) in the case of an order imposing a penalty under sub-rule (1), the Special Officer for the Reorganization of the Department of Indian Medicine or such other officer as the Provincial Government may appoint to be the Head of the Department; and

(b) in the case of an order imposing a penalty under sub-rule (2) the Provincial Government.

14. Pay: There shall be paid to the holders of the posts mentioned in column (1) below a monthly pay calculated in the scale specified in the corresponding entry in column (2) thereof.

Post.	Pay.
1. Assistant Professors.	Rs.150-25/2-250-
2. Tutors.	Rs.75-10/2-125.
3. Pandits.	Rs.80-5-120-10-170.
4. Physical Directors.	Rs.80-5-120-10-170.
5. Artist Draughtsmen.	Rs.70-5-100.

Annexure.
(Referred to in rule 6).

Categories.	Qualifications.
"Assistant Professors.	Indian Medicine- Diploma of High Proficiency test in Indian Medicine granted by the Government Board of Examiners in Ayurvedia Telugu, Ayurveda Tamil, Siddha or Unani system as the case may be in respect of which recruitment is necessary. Modern Medicine - Medical degree conferred by a University in the Province or an equivalent degree preference being given to those who with knowledge of Indian Medicine.
Tutors and Readers of Indian Medicine.	L.I.M. or Ayurveda Visarada or an equivalent qualification in Ayurveda, Siddha or Unani system as the case may be in respect of which recruitment is made.
Tutors and Readers of Modern Medicine other than Tutors in General Science.	A medical degree conferred by a University in the Province or an equivalent degree, preference being given to those with knowledge of Indian Medicine. A first or second class degree of B.A. or B.Sc. of a University in the Province in the subject of which ~~no~~ recruitment is necessary.
Pandits.	A title conferred by a University in the Province with special reference to Sanskrit or a degree in Sanskrit of a University in the Province.
Physical Directors.	(i) The degree of B.A. or B.Sc. of a University in the Province; and (ii) The diploma of the Y.M.C.A. College of Physical Education, Saidapet.

Artist Draughtsmen.	(i) Certificate of having passed in the first class in the Government Technical Examination by the higher grade or a second class diploma in painting of the School of Arts and Crafts, Madras; and (ii) Certificates of having served as a photographer for a period of not less than three years in a firm of repute.

/True Copy/

K. Thiagarajan 24.12.54

Office Assistant,
MADRAS RECORD OFFICE.

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